

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPALACHIAN RACING, INC.

COMPLAINANT

VS.

AUXIER WATER COMPANY, INC.

DEFENDANT

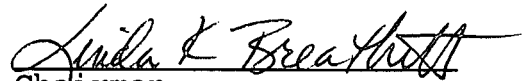
CASE NO. 94-241

O R D E R

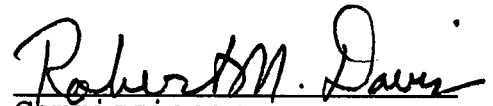
By Order dated February 1, 1996, the parties were directed to file written memoranda setting forth the reasons, if any, why this case should not be dismissed without prejudice. The Commission, having considered the parties' responses stating that no such reasons exist and finding good cause, HEREBY ORDERS that this case is dismissed without prejudice.

Done at Frankfort, Kentucky, this 1st day of March, 1996.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|  |   |                 |
|--|---|-----------------|
| THE APPLICATION OF DELTA NATURAL GAS     | ) |                 |
| COMPANY, INC. FOR AN ORDER AUTHORIZING   | ) | CASE NO. 95-098 |
| THE PURCHASE AND FINANCING OF THE CANADA | ) |                 |
| MOUNTAIN GAS STORAGE FIELD               | ) |                 |

O R D E R

The Commission entered an Order in this case addressing all issues with the exception of Delta Natural Gas Company, Inc.'s ("Delta") request for confidential treatment of information provided in response to a Commission Order. On January 2, 1996, Delta withdrew its request for confidential treatment.

In its Order of September 7, 1995, the Commission ordered Delta to file an application for approval of the transfer of storage assets from Deltran, Inc., a Delta subsidiary, to Delta at least 60 days prior to the effective date of the transfer. Since this Order was entered, Delta and Deltran have entered into an operating lease agreement which eliminates the necessity of a transfer application under KRS 278.020. Ordering paragraph 6 of the Commission's September 7, 1995 Order should therefore be vacated and this case should be removed from the Commission's docket.

IT IS THEREFORE ORDERED that:

1. The information previously protected as confidential pending a ruling on Delta's motion for confidential protection shall be placed in the public record of this case.

2. Ordering paragraph 6 of the Commission's September 7, 1995 Order is vacated.

3. All issues having been disposed of by the Commission, this case is closed.

Done at Frankfort, Kentucky, this 1st day of March, 1996.

PUBLIC SERVICE COMMISSION

Linda K. Breathitt  
Chairman

Sam J. Helms  
Vice Chairman

Robert M. Davis  
Commissioner

ATTEST:

Dan Mills  
Executive Director